

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CHELSEA GILLIAM, *et al.*

*

Plaintiffs,

*

v.

*

Civil Action No. RDB-23-01047

DEPARTMENT OF PUBLIC SAFETY *
& CORRECTIONAL SERVICES, *et al.*,

*

Defendants.

* * * * *

CONSENT MOTION FOR EXTENSION OF TIME

Defendants, the Maryland Department of Public Safety and Correctional Services (“DPSCS”), Carolyn Scruggs, Annie Harvey, Damilare Adisa-Thomas, Nurudeen Matti, Sharon Baucom, Dave Wolinski, and Betsy Nwosu, (collectively “DPSCS Defendants”), by their undersigned attorneys, and for the benefit of newly added defendants William Bailey, Christopher S. Smith, Gregory Werner, Fateema Mobley, Kelly Partlow, Donald Gallagher, J. Philip Morgan, Orlando Johnson, Kimberly Stewart, Ronald S. Weber, Michelle C. Gardner, and April Peterson (“Newly Added Defendants”), move for an extension of time for the benefit of the Newly Added Defendants to respond to the Third Amended Complaint, ECF No. 46, filed in this case, and state:

1. On November 2, 2023, Plaintiffs Chelsea Gilliam and Kennedy Holland filed a Third Amended Complaint in the above-referenced matter. *See* ECF No. 46. The Third Amended Complaint added a plaintiff, Chloe Grey, and an additional six Newly Added Defendants.

2. In accordance with Fed. R. Civ. P. 15(a)(3), the DPSCS Defendants' response to Plaintiff's Third Amended Complaint is presently due on November 16, 2023.

3. However, additional time is needed to obtain and review relevant documents and consult with DPSCS Defendants and witnesses in order to draft a thorough response to Plaintiffs' Third Amended Complaint.

4. Although undersigned counsel currently represents the DPSCS Defendants, the Office of the Attorney General (OAG) has not yet rendered a decision to represent the Newly Added Defendants in their individual capacities on Plaintiffs' claims as required by Md. Code Ann., State Gov't § 12-304.

5. As required by statute, the OAG must conduct an individual investigation into each defendant before undersigned counsel can make a decision regarding their representation. The new plaintiff and the six Newly Added Defendants are unrelated to the original Plaintiffs and their factual allegations. *See* ECF No. 46. This requires undersigned counsel to undergo six completely new representation investigations that involve different facts and institutions from the original complaint. Given the breadth of the investigations prompted by the Third Amended Complaint, these investigations have taken longer than expected and undersigned counsel need additional time to complete their required investigations for the Newly Added Defendants.

6. Further, assuming the Maryland OAG authorizes undersigned counsel to represent the Newly Added Defendants, counsel would need additional time to obtain and

review relevant documents and consult with the Newly Added Defendants and witnesses in order to draft a thorough response to Plaintiffs' Third Amended Complaint.

7. Therefore, the DPSCS Defendants seek a forty-five (45) day extension for the benefit of the Newly Added Defendants to allow counsel to conclude the OAG's authorization process and draft a substantive response to Plaintiffs' Third Amended Complaint.

8. Counsel for Plaintiffs consents to this motion.

9. As a result, the DPSCS Defendants seek, for the benefit of the Newly Added Defendants, an additional period of time to and including January 2, 2024, within which to file the response to Plaintiffs' Third Amended Complaint.

10. This Motion for Extension of Time is made for good cause, and not for the purposes of delay.

WHEREFORE, Defendants respectfully request that this Consent Motion for Extension of Time be granted, and that the time for the Newly Added Defendants to respond to the Third Amended Complaint be extended to and including January 2, 2024.

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2023, a copy of the foregoing *Consent Motion for Extension of Time* was served on all counsel of record by electronic means.

/s/ Marilyn E. Ratliff
MERRILYN E. RATLIFF